

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 CU-02 ERDA-05 CIAE-00 H-02 INR-07

L-03 NSAE-00 OIC-02 OMB-01 PA-01 PM-03 PRS-01 SAJ-01

SAM-01 SP-02 SS-15 USIA-06 TRSE-00 DODE-00 NSC-05

ACDA-05 BIB-01 /086 W

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R 291922Z MAY 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 3362

INFO AMEMBASSY MOSCOW

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C O N F I D E N T I A L GENEVA 4040

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJECT: CSCE: PRINCIPLES DECLARATION PREAMBLE

REF: A. STATE 121703

B. GENEVA 3224

C. STATE 99963

1. SUMMARY: SUBCOMMITTEE AGREED TENTATIVELY MAY 28 ON
PREAMBULAR PARAGRAPH TO PRINCIPLES DECLARATION INTENDED TO
REPRESENT COMPROMISE ON ISSUE OF REFERENCE TO UN CHARTER.
THIS COMPROMISE, SEVERAL WEEKS IN MAKING, OPENS WAY TO
SERIOUS DRAFTING ON ADDITIONAL ELEMENTS OF PREAMBLE. END
SUMMARY.

2. SUBCOMMITTEE AGREED TO WRITE INTO NOTEBOOKS (BUT NOT
PROVISIONALLY REGISTER) FOLLOWING TEXT, WHICH IS ENVISAGED
AS FINAL PREAMBULAR PARAGRAPH:

BEGIN TEXT: EXPRESSING THEIR COMMON ADHERENCE TO THE
PRINCIPLES WHICH ARE SET FORTH BELOW AND WHICH ARE IN
CONFORMITY WITH THE CHARTER OF THE UNITED NATIONS (1),
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AS WELL AS THEIR COMMON WILL TO ACT, IN THE APPLICATION

OF THESE PRINCIPLES, IN CONFORMITY WITH THE PURPOSES AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS (2), END TEXT. NUMBERS IN TEXT REFER TO FOLLOWING FOOTNOTES: BEGIN TEXT (1) THE QUESTION OF REFERRING TO THE "DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW CONCERNING FRIENDLY RELATIONS AND CO-OPERATION AMONG STATES IN ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS" REMAINS UNRESOLVED. (2) IT WAS AGREED THAT THERE WOULD BE A REFERENCE TO THE "PURPOSES AND PRINCIPLES OF THE UNITED NATIONS" IN AN APPROPRIATE PLACE IN THE PREAMBLE. END TEXT.

3. US AND VARIOUS OTHER DELS, INCLUDING ROMANIA AND YUGOSLAVIA, MADE CLEAR DURING DEBATE THAT THEIR ULTIMATE ACCEPTANCE OF THIS FORMULATION DEPENDS UPON SATISFACTORY RESOLUTION OF OTHER ISSUES IN PRINCIPLES DECLARATION RELATED TO UN CHARTER. WE CONSIDERED IT TACTICALLY PRUDENT NOT TO INSIST UPON MAINTAINING OPTION OF UNDILUTED REFERENCE TO CHARTER IN SECOND HALF OF PARAGRAPH SINCE WE HAD OPPORTUNITY TO GAIN SUCH A REFERENCE IN FIRST HALF WHICH SHOULD ALLOW US TO MAINTAIN PERSUASIVELY THAT INTERPRETATION OF PRINCIPLES MUST BE CONSISTENT WITH PLAIN TEXT OF CHARTER. IN TACTICAL SITUATION THAT DEVELOPED, WE WERE ABLE TO PUT SUBCOMMITTEE PRESSURE ON ROMANIANS, YUGOSLAVS AND SWISS TO ACCEPT STRAIGHT REFERENCE TO CHARTER IN FIRST CLAUSE BY MAKING EXAMPLE OF OUR FOREBEARANCE FROM INSISTING ON PURE CHARTER REFERENCE IN SECOND CLAUSE. YUGOSLAVS, WHO HAD ARGUED PARTICULARLY STRONGLY FOR REFERENCE TO "PURPOSES AND PRINCIPLES OF UN" IN THIS PARAGRAPH IN ORDER TO EMPHASIZE THAT PRINCIPLES SHOULD BE INTERPRETED AND APPLIED IN LIGHT OF EVOLUTIONARY UN VIEWS, ACCEPTED AS FACE-SAVING DEVICE THAT THIS PHRASE WOULD BE IN ANOTHER PREAMBULAR PARAGRAPH EXPRESSING SUPPORT FOR THE UN WHICH WOULD BE REMOVED FROM THE IMMEDIATE CONTEXT OF INTERPRETATION AND APPLICATION OF THE PRINCIPLES. SUBCOMMITTEE WILL ATTEMPT TO DRAFT SUCH A PARAGRAPH LATER THIS WEEK. ROMANIANS EMPHASIZED TO SUBCOMMITTEE THAT THEIR FINAL ACCEPTANCE OF COMPROMISE FORMULATION FOR FINAL PREAMBULAR PARAGRAPH WOULD DEPEND UPON SECOND READING OF THOSE

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PRINCIPLES WHERE CHARTER ISSUE ALSO ARISES. WE AGREED THAT WE, TOO, WOULD WISH TO SEE HOW SECOND READING CAME OUT BEFORE MAKING FINAL COMMITMENT AND REMINDED ROMANIANS AND YUGOSLAVS IN PRIVATE THAT THERE WERE ADDITIONAL ISSUES (I.E. QRR) WHICH WERE ALSO TIED INTO ULTIMATE RESOLUTION OF THIS QUESTION.

4. INCLUSION OF REFERENCE TO FRIENDLY RELATIONS DECLAR-

ATION IN THIS PARAGRAPH IS STRONGLY OPPOSED BY SOVIETS
AND ACCEPTED IN PRIVATE BY ITS ADHERENTS AS NOT OBTAINABLE.
THEY HOPE BY MAINTAINING FOOTNOTE TO HAVE SOME TRADING
LEVERAGE WITH SOVIETS ON OTHER PARTS OF PREAMBLE AND
PERHAPS TO SLIP FRIENDLY RELATIONS DECLARATION INTO
PARAGRAPH EXPRESSING SUPPORT FOR UNITED NATIONS.

5. TRANSITIONAL PARAGRAPH WHICH WOULD FOLLOW FINAL
PREAMBULAR PARAGRAPH AND LEAD INTO PRINCIPLES THEMSELVES
NOW READS IN NOTEBOOKS :BEGIN TEXT: SOLEMNLY DECLARE/
DECLARE THEIR DETERMINATION TO RESPECT AND OUT INTO
PRACTICE, EACH OF THEM IN ITS RELATIONS WITH ALL OTHER
PARTICIPATING STATES, IRRESPECTIVE OF THEIR POLITICAL,
ECONOMIC OR SOCIAL SYSTEMS AS WELL AS OF THEIR
SIZE, GEOGRAPHICAL LOCATION OR LEVEL OF ECONOMIC
DEVELOPMENT, THE FOLLOWING PRINCIPLES OF PRIMARY
SIGNIFICANCE GUIDING THEIR MUTUAL RELATIONS. END TEXT.
TWO REMAINING QUESTIONS, PROVIDED UN REFERENCE COMPROMISE
HOLDS, ARE WORD "SOLEMNLY" WHICH SOVIETS SUPPORT AND UK
PROPOSAL TO ADD "ALL" BEFORE "OF PRIMARY SIGNIFICANCE"
TO EMPHASIZE THAT PHRASE REFERS TO EQUAL VALUE OF
PRINCIPLES VIS A VIS EACH OTHER RATHER THAN TO PRIMACY
OF PRINCIPLES DECLARATION TO OTHER PRODUCTS OF CON-
FERENCE. NATO DELS SUPPORT UK PROPOSAL BUT ARE
PERPARED TO TRADE OR DROP IT AT APPROPRIATE TIME.

6. EC-NINE HEADS OF DEL REMAIN DIVIDED ON ULTIMATE
VALUE OF MAXI-PREAMBLE FOR BASKET I, BUT ARE AGREED
WEST SHOULD ALLOW SOME OTHER DEL SUCH AS ROMANIA TO
TAKE LEAD ON ISSUE SO THAT WE DO NOT APPEAR AS
DEMANDEURS AND THUS IN WEAKER POSITION TO OBTAIN
LANGUAGE WE DESIRE IF MAXI-PREAMBLE IS TO BE ATTEMPTED.
FOR PRESENT ALLIES WILL SEEK TO ENSURE THAT ANY PRE-
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AMBULAR LANGUAGE DRAFTED WOULD BE APPROPRIATE FOR
PRINCIPLES DECLARATION ITSELF. DALE

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